

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TANYA YOUNGBLOOD, JEAN
SAMUEL and BEVIS THOMAS, on
behalf of themselves and all others
similarly situated,

Plaintiffs,

v.

FAMILY DOLLAR STORES, INC.,
FAMILY DOLLAR, INC., FAMILY
DOLLAR STORES OF NEW YORK,
INC., AND DOES 1 through 10, inclusive,

Defendants.

and

ANTHONY RANCHARAN, individually
and on behalf of all others similarly
situated,

Plaintiffs,

v.

FAMILY DOLLAR STORES, INC.,

Defendant.

Case No. 09-cv-3176 (RMB/FM)

Case No. 10-cv-07580 (RMB/FM)

**JOINT MOTION FOR PRELIMINARY APPROVAL OF
SETTLEMENT OF CLASS ACTION**

Pursuant to Fed. R. Civ. P. 23(e), the parties herein hereby request preliminary approval of the Settlement Agreement they have filed with the Court. In support of this joint motion, and as fully explained in their supporting Memorandum of Law, submitted herewith, the parties state as follows:

1. This is a putative class action lawsuit for damages against Family Dollar arising out of its alleged misclassification of New York Family Dollar store managers as exempt from the overtime requirements of New York law.

2. The parties have agreed to settle these consolidated actions according to the terms of the Settlement Agreement submitted with this joint motion.

3. The proposed settlement is the result of arm's-length negotiations, has no obvious deficiencies, and does not improperly grant preferential treatment to the class representatives or segments of the proposed settlement class. It therefore falls within the range of possible judicial approval such that both the prompt scheduling of a formal fairness hearing and the expeditious final approval of the settlement are appropriate.

4. To effect the settlement, plaintiffs request that the Court conditionally certify, for settlement purposes only, a class consisting of all individuals employed as store managers for Family Dollar in New York at any time between April 2, 2003 and the date on which preliminary approval of the settlement is granted (the "Settlement Class")

5. Plaintiffs request that the Court appoint Seth R. Lesser and Fran Rudich of Klafter Olsen & Lesser LLP as "Class Counsel" and appoint plaintiffs Youngblood, Ramcharan, Thomas and Samuel as "Class Representatives."

6. The parties jointly request that the Court find that the proposed form and manner of notifying the settlement class of this proposed settlement fully complies with the standards of fairness, completeness and neutrality required of a settlement class notice under federal law and the requirements of due process.

CONCLUSION

For the foregoing reasons and those set forth in the accompanying Memorandum of Law, the Court should (1) preliminarily approve the proposed settlement; (2) conditionally certify the proposed Settlement Class for settlement purposes only (3) approve the proposed form of notice and the manner of disseminating the notice; and (4) appoint Class Counsel and Representatives.¹;

November 14, 2012

By: Seth Lesser
(signed by Joel M. Cohn with permission
of Seth R. Lesser)

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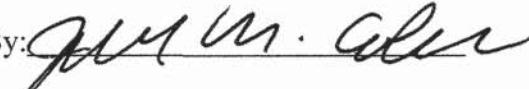
¹ Family Dollar supports class certification of this matter for settlement purposes only. Family Dollar expressly reserves the right to oppose class certification in this or any other action, based on any grounds, in the event that the settlement herein is not consummated.

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